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THE RABBINICAL CONFERENCES, 1844-6¹.

As early as 1837 Abraham Geiger is on record as advocating a conference of like-thinking, progressive rabbis for the discussion of the essentials of Judaism and the consideration of the practical religious problems that were demanding solution. Individuals had given expression to the necessity of freeing the religion of the accumulated mass of outgrown forms wherewith it was burdened; they had likewise called attention to the facts that in the changed conditions of their life thousands of Jews were disregarding the commands of rabbinical Judaism, and that the cleft between what passed as the authoritative official expression of the faith and the practice of the people was growing wider and wider. Geiger, therefore, felt that the need for a gathering of religious leaders was imperative in order that some conclusion as to how the difficult situation was to be met might be arrived at; his ideas of the purpose of such a conference are set forth in an open letter written on May 10, 1837, while he was still rabbi in Wiesbaden, and entitled "The Rabbinical Assembly; Epistle to a Friend in the Jewish Ministry²." In this communication he says that the conference is not "to formulate a new Judaism nor to assume synodal authority; it is to afford

¹ This paper forms the fifth of the series on "The Reform Movement in Judaism."

² "Die Rabbinerversammlung: Sendschreiben an einen befreundeten jüdischen Geistlichen," *Wissenschaftliche Zeitschrift für jüdische Theologie*, III, 313-32. See also his letter to Elias Grünebaum in *Nachgelassene Schriften*, V, 97.

honest men the opportunity of discussing the best methods of conducting their office, and is to be a beginning towards a resuscitation of the wellnigh vanished spirit of Judaism ¹." He shows how this form is being disregarded here and that precept there, how one coreligionist believes that the service of God demands the punctilious observance of every iota of the traditional ritual, while another entertains altogether different views, and believes that the salvation of the faith depends upon its being delivered from the rigidity of formalism ("Formenstarrheit"): all this was giving rise to unutterable confusion, and the people were drifting along helplessly, and each one was like to become a law to himself: "If, however, a number of rabbis make unanimous declaration as to the non-essentiality of this or that observance the bonds of formalism will be loosened ²." Hence, even though such a conference were only deliberative and not authoritative, it would nevertheless give a mighty impetus to the progressive movement; the people would go forward with greater confidence if they knew that their leaders had agreed upon a standpoint that expressed a conception of Judaism based upon the spirit and not merely upon the observance of unnumbered forms, many of which were no longer religiously significant. "I confess," he concludes, "that I cannot conceive how we can hold up our heads if we will not stand courageously for our innermost convictions; I cannot rest satisfied to continue to wear a mask any longer, politic as such a course would be undoubtedly. I leave it to your own conscience to decide how friends of truth and integrity will judge us, and by what name posterity will stigmatize us if we continue to speak high-sounding phrases but to enact weak deeds ³." Here Geiger was a pioneer; this was the first call for a rabbinical conference to consider the present condition of Judaism ⁴: the gathering took place at

¹ *Wiss. Zeitschrift*, III, 321.

² *Ibid.*, 327.

³ *Ibid.*, 331.

⁴ *Jewish Encyclopedia*, art. "Rabbinical Conferences." The Bavarian

Wiesbaden in August, 1837, and was attended by Geiger, A. Aub of Baireuth, M. Bloch of Buchau, J. A. Friedländer of Brilon, E. Grünebaum of Landau, M. Gutmann of Redwitz, S. Herxheimer of Bernburg, A. Kohn of Hohenems, I. Löwi of Furth, J. Maier of Stuttgart, L. Stein of Burgkunstadt, M. Wassermann of Mühlingen, and B. Wechsler; M. Hess of Eisenach arrived too late. True, the conference accomplished little, much less than Geiger expected. The only practical results of the meeting consisted, first, in the adoption of a resolution that studies on subjects of practical import should be published in Geiger's theological magazine, and that thereupon all the rabbis who were in attendance should give expression to their opinions on these subjects through the same medium; and, secondly, in the appointment of a commission, consisting of Löwi, Maier, and Stein, to prepare a manual for domestic devotion¹. Still, even though the results were so meagre, it was an achievement to have brought together a number of Jewish leaders². Geiger recognized clearly that one of the greatest needs of this disturbed time in Jewry was that the guides of the congregations should arrive at some agreement on the subjects of practical moment that were agitating individuals and communities. Although the Wiesbaden conference exerted scarcely any influence, still was the idea of its originator to be vindicated brilliantly some time later in the assembling of the famous rabbinical conferences of Brunswick, Frankfort, and Breslau in the years 1844, 1845, and 1846, which form the subject of the present essay.

District Assemblies held in 1835 were not rabbinical conferences in the strict sense, as laymen also participated in them.—*J. Q. R.*, XV, 520.

¹ The only account that we have of this conference is to be found in a letter written by Geiger to his friend Jacob Auerbach: see *Nachgelassene Schriften*, V, 99.

² A letter written from Frankfort sets forth the hopes which this gathering had aroused in the hearts of the friends of progressive Judaism: see *Wiss. Zeitschrift für jüd. Theologie*, III, 476; see also Jost, "Geschichte des Judenthums und seiner Sekten," III, 352.

Each day wellnigh in that stormy time brought evidence from here, there, and everywhere in Germany of the difficulties encountered by Jews of living the new life in the world into which emancipation had thrown them, and carrying out faithfully the commands of rabbinical Judaism¹. Many had cut the Gordian knot by simply disregarding the legislation of the codes, but there were thousands who were troubled honestly and sincerely, and who were looking anxiously for a way out of this *cul de sac*: the conflict between religion and life had to cease; the problem cried for solution: who so qualified to solve it, if indeed solved it could be, as the religious and theological experts? The seven years succeeding Geiger's initial effort disclosed the necessity for the gathering of these experts more and more clearly; the ranks of those who could not fulfil conscientiously every jot and tittle of the rabbinical codes were swelling day by day², many had ceased to be affiliated with the synagogue, and were Jews in name only; the demand was imperious for the reconciliation of the life of the Jew with his religious professions. Hence when, in the beginning of the year 1844, Ludwig Philippson, the editor of the most widely circulated Jewish publication of the time, issued a call for a rabbinical conference, his words met with an instant and sympathetic response; the time seemed to be ripe now. In this call Philippson wrote as follows: "Let us speak plainly. The issue is no longer the permissibility or non-permissibility of this or that synagogal institution, of this or that alleviation for civil and social life; the issue before us is concerned with the entire content of our religion, which we must present and strengthen in its purity and divinity in order to rescue it

¹ Holdheim, "Die erste Rabbinerversammlung und Herr Dr. Frankel," 16, Schwerin, 1845. M. Simion, quoted in Holdheim, "Geschichte der Entstehung und Entwicklung der jüdischen Reformgemeinde in Berlin," 38, Berlin, 1857.

² See the addresses of various communities to the Frankfort Conference, *Protokolle*, 243, 249-53, 260-6, 269.

from deadening rigidity on the one hand and from benumbing unbelief on the other. Judaism is weakening in its hold upon its followers day by day, and every layman is asking us, What are you doing? The objects of the conference shall be—(1) to bring the rabbis into closer relation and acquaintanceship; (2) to promote unanimity in the conduct of the rabbinical office; (3) to further the founding of communal institutions; and (4) to take counsel together on all Jewish affairs¹."

The readiness wherewith a large number of rabbis declared themselves to be in sympathy with the object of this call showed their eagerness to contribute towards solving what was becoming an intolerable condition of affairs for those who felt that many Jewish institutions did not comport with the religious conceptions of the generation, and that these institutions demanded a thoroughgoing and comprehensive reform. It must never be forgotten that the conferences were intended to be erected upon the broad foundation of fitting the essentials of Judaism to the practical requirements of the new life whereupon the Jews had entered, and which was as different from the existence of the Ghetto centuries as the cramped life of these centuries had been from the freedom of the Palestinian commonwealth of old. Short as the conferences came of fulfilling this great expectation, yet this was undoubtedly the hope of the great majority of the men who were instrumental in calling them into being.

¹ *Allgemeine Zeitung des Judenthums*, VIII (1844), 27. In a leading article that appeared several weeks later entitled "Annual Rabbinical Conferences" (*ibid.*, 117), Philippson states that the idea to issue a call for a conference was suggested to him in a letter that he had received from Dr. Max Lienthal from Riga, Russia, on Nov. 26, 1843, wherein the writer requested him to call such a meeting; he had received also a communication from Rabbi Levi of Giessen, written on Jan. 2, 1844, containing an article advocating the organization of a rabbinical conference, and urging that he (Philippson) should take the initiative in the matter. *Ibid.*, 118.

THE BRUNSWICK CONFERENCE.

It was determined to hold the first conference at Brunswick. The meeting took place there, June 12-19, 1844. The conference was attended by the following rabbis: A. Adler of Worms, S. Adler of Alzey, Adler of Minden, Ben Israel of Coblenz, L. Bodenheimer of Hildesheim, S. Formstecher of Offenbach, N. Frankfurter of Hamburg, A. Geiger of Breslau, Goldman of Eschwege, P. Heidenheim of Sonderhausen, L. Herzfeld of Brunswick, S. Herxheimer of Bernburg, M. Hess of Stadt Lengsfeld, S. Hirsch of Luxembourg, Hoffmann of Meiningen, S. Holdheim of Mecklenburg-Schwerin, J. Jolowicz of Marienwerder, J. Kahn of Treves, J. Klein of Stolp, J. Maier of Stuttgart, L. Philippson of Magdeburg, G. Salomon of Hamburg, L. Schott of Randegg, L. Sobernheim of Bingen, and B. Wechsler of Oldenburg.

Geiger, who was prevented from being present at the opening session of the conference, addressed a letter to the members, in which he urged that this first conference be merely preparatory and not resolutatory—that it concern itself with practical issues, and not with theoretical discussions, and that it avoid laying down any hard-and-fast rules¹.

J. Maier, of Stuttgart, was elected president of the conference. In his address of acceptance he recommended, as had Geiger in his letter, that the conference bear in mind constantly the practical requirements of the day, and confine its attention to solving as far as it could the vexing problems that were agitating Jewish life. The rabbinical conference was expected to become a permanent institution; hence it was necessary to declare at the very outset what its purpose was to be; the first paragraph of the rules governing the conference defines this as follows: "The rabbinical conferences have as their purpose that the

¹ *Allgemeine Zeitung des Judenthums*, VIII (1844), 337-9.

members shall take counsel together in order to determine by what means the preservation and development of Judaism and the enlivening of the religious consciousness can be accomplished¹." The discussion of this paragraph touched the all-important question of the authoritative character of the conference. Was the conference simply to discuss and deliberate upon questions of importance, or was it also to pass resolutions and render decisive opinions? If the latter, in how far could these be considered binding on the congregations? Would the congregations accept the decisions of the rabbis? In a word, was the conference to become a new body of authority for Judaism, or were its deliberations to be purely academic and without practical import? Some very interesting opinions were enunciated during the lengthy discussion: the general feeling seemed to be that the conference had not a synodal character, that its resolutions could not be enforced, and that at best any rabbi present who voted with the majority on any question was bound morally to carry out such resolution in the practical administration of his office²; on the other hand, it was held that the very fact that certain resolutions had been adopted by the conference would give strong support to any rabbi who might need such support, and that after all the chief thing was the confidence of the people; if the people had confidence in them their work would prove to be of a lasting character, and would receive an authoritative stamp; if not, all their efforts were in vain. This was expressed excellently by Holdheim, who said: "The purpose of our gathering is to work for the preservation and development of our holy religion; all our deliberations are concerned herewith, and we pass resolutions as to how this is to be accomplished. Have we any synodal justification? No; we as little as the rabbis of former times. What gave them their power was the confidence of the congregations,

¹ *Protokoll der ersten Rabbinerversammlung abgehalten in Braunschweig, XIII*; Braunschweig, 1844.

² *Ibid.*, XVI, 18.

and this confidence was reposed in them because they were scholars and adepts in the law. The same holds with us¹." In a later discussion he expressed himself again on this question of authority: "All the talk about a Talmudical Judaism is an illusion. Science has decided that the Talmud has no authority dogmatically or practically. Even those who will not acknowledge this go beyond the Talmud. The question is, Who gives us the right to change the liturgy? This question requires an unequivocal answer. The אנשי כנסת הגדולה (The Men of the Great Assembly) have authority only for their age; what they ordained was timely, and on this the sanction of their ordinances rested. We have the same authority for our age if we give utterance to the consciousness of our age²," but "even though the Talmud is not authoritative for us we do not wish to disregard the intellectual activity of two thousand years. We say merely this: Anything which upon unbiased, careful criticism contradicts the religious consciousness of the present age has no authority for us³." As to the real significance of the decision of the majority for the individual rabbi, Samuel Hirsch said well: "Our conference must have a moral consciousness and must state that it has this, so that a rabbi who has voted with the majority can refer to the resolutions of this assembly. He must be empowered to say: 'Although this or that may be in opposition to a paragraph of the Schulchan Arukh, I teach or do it, and thus many rabbis have voted with me, to whom I can refer⁴.'" The whole discussion, as in fact did all the discussions, showed in what an unsettled state Jewish opinion and practice were; with scarcely an exception the men who had assembled at Brunswick desired reform; the question

¹ See also his "Geschichte der Berliner Reformgemeinde," 113.

² *Protokolle*, 55 : cf. also his aphoristical statement, "Der Talmud spricht aus seinem Zeitbewusstsein und für dasselbe hatte er Recht; ich spreche aus einem höhern Bewusstsein meiner Zeit und für dasselbe habe ich Recht."—*Ceremonialgesetz im Gottesreich*, 50, Schwerin, 1845.

³ *Protokolle*, 66.

⁴ *Ibid.*, 16.

was merely how much? Broadly speaking, the rabbis present might have been classed in three divisions—first, representatives of what might be called the orthodox-reform party, if so paradoxical a term is permissible, i.e. such as demanded that if any changes were made this must be done consistently with the Talmudic-rabbinical standpoint; they were not opposed to slight changes, but these must not affect the existing structure of Judaism as based on Talmud and Schulchan Arukh. This party was represented but slightly, by three advocates at the most. Secondly, there was the reform element, which was in a great majority; for them Talmud and Schulchan Arukh were authoritative no longer; they claimed that Judaism, as legalistic rabbinism, had lost its power over the present generation, and that the spirit of the religion must be emphasized as over against the formalism into which it had degenerated; they held that Judaism in its fundamental concept as the ethical monotheism was what it had always been at bottom; this fundamental concept had been obscured by accretions of forms; these had to be cleared away to such an extent as they no longer fed the religious nature, and their place had to be taken by such religious forms, ceremonies, and institutions as were in accord with the religious outlook of the modern Jew; such traditional ceremonies and institutions as still possessed vitality were, as a matter of course, to be retained, and if necessary to be interpreted accordingly. Thirdly, there was what might be termed the party of compromise, who desired to march under both banners; they wished to make haste very slowly, to preserve the traditions, and yet satisfy the needs of the new time which they could not help but recognize; such were opposed to any declaration of principles or to any positive expression that might indicate a break in any way with the consensus of Jewish tradition.

The character of the conference as a reform gathering, however, appeared constantly during the discussions. Thus, when Schott, the leading representative of the rabbinical

party, denounced the tendency to abrogate existing customs, and asked, "Shall we negate always?" Holdheim answered him by saying that what Schott called negation was really affirmation in the light of the declared purpose of the conference, viz. "the preservation of Judaism." "The preservation of the essential," he claimed, "is conditioned by the excision of the non-essential. The healthy portion can be saved only by the removal of the diseased part¹." Hess stated that until the conference would declare boldly that the Talmud had no significance dogmatically they would have no basis for their resolutions. As to Schott's claim about their negative attitude, he would say that the reproach of being destroyers is more applicable to the rigid rabbanites², since they deny that the consciousness of the age is a moving force with many Jews of the present day; they were responsible that so many had become alienated, as for example in Frankfort. In the discussion on the liturgy, Samuel Adler used the following strong words: "What right we have to reform! the traditional right to modify the Biblical ceremonial according to temporal and local conditions. The question was asked often whence we obtained that right. From the people. The free will of the people recognized the Talmudists, the free will of the people will recognize us also. We too are Talmudists. Hence we can insist on this same right." And during the discussion on the Sabbath, Gotthold Salomon declared that they must seek to save the Sabbath as soon as possible, and strive to harmonize the Sabbath laws with life and the age; for "life must be regulated by and permeated with religion. The age is also a Bible through which God speaks to Israel³." These expressions illustrate in the main the spirit of the conference; it was emphatically of a reform tendency; the orthodox and the conservatives were in such

¹ *Protokolle*, 44.

² *Ibid.*: cf. also Holdheim, "Geschichte der Entstehung und Entwicklung der jüdischen Reformgemeinde in Berlin," 97.

³ *Protokolle*, 91; *J. Q. R.*, XVII, 339 note.

a minority that they were almost a negligible quantity; the spirit of the nineteenth century was breathing new life into the ancient faith, and the dry bones were being resuscitated; Ezekiel's vision was being interpreted anew.

This being the first large gathering of Jewish theologians since the inception of the reform movement, it was but natural that voices should make themselves heard demanding that the conference state what the fundamental principles of Judaism are; for it was felt by these that such a declaration of principles was necessary in order to give the conference the proper foundation whereon to build. It was the same sentiment as had actuated the members of the Society of the Friends of Reform in Frankfort¹ when they contended that, in order to clear the controversial atmosphere in which Judaism was enveloped at that time, it was requisite to formulate in as brief a space as possible the essential fundamentals in which all Jews of modern views could agree. True, the question of formulating a declaration of principles was not one of the set subjects of discussion at the conference; still it was referred to a number of times in the course of the various debates. In the discussion on the Prayer-book Bodenheimer, who was of a markedly conservative tendency, contended that before any intelligent action could be taken on the subject of determining what prayers are expressive of the religious convictions of the people to-day the question as to what the Jewish articles of belief are had to be settled. He claimed that the greatest confusion existed here, that even Maimonides contradicted himself, that Chasdai differed with him, and that Abarbanel in his turn differed with Chasdai². He suggested, therefore, that a commission be appointed to formulate a statement of the fundamental articles of Jewish belief. In this he received the endorsement of Hess the radical, who advocated likewise the appointment of a commission for the drafting of a confession of belief which should state what

¹ *J. Q. R.*, XVII, 327.

² *Protokolle*, 48.

the conference considers the essence of Judaism, and in what it conceives the relation of the moral to the ceremonial law to consist¹. The rabbi of Luxemburg, Samuel Hirsch, expressed himself in a manner diametrically opposed to this; he too was a radical in many of his opinions, and the wide difference between him and Hess on this vital subject is most suggestive of the character of the conference and the difficulty of reconciling the many individual views represented; he declared that he was opposed to the proposition to appoint such a commission, because "we have no articles of belief in the commonly accepted interpretation of the term, viz. that we should or must believe what cannot be known or comprehended²." Holdheim too took strong ground against the formulation of any creed: "Every Jew is obligated by his birth; Judaism is inalienable, and does not depend on the acceptance of any dogma according to this or that interpretation³." Formstecher⁴ sided with Bodenheimer and Hess; he averred that in all things there must be a principle from which to proceed: else there can be no results. "We require a principle in our relations with our congregations: else our work will be open to suspicion always, and some passage from some Hebrew book will always be able to be cited against us. . . . I do not demand a creed, as Hirsch maintains against me, but we must have a principle, a rule of procedure, by which we must be guided⁵." In more or less direct wise the debatable subject of creed and dogma was touched upon in these various utterances: Are there dogmas in Judaism or no? is still a favourite theme of discussion. Is a set creed compatible with or foreign to the spirit of Judaism? remains to this day an unsettled point of debate⁶; there can be no doubt that

¹ *Protokolle*, 53.

² *Ibid.*, 54.

³ *Ibid.*, 56.

⁴ Author of the work "*Die Religion des Geistes*."

⁵ *Protokolle*, 66.

⁶ Geiger held that there are dogmas in Judaism, but no creed as a condition of salvation, *Israelit des Neunzehnten Jahrhunderts*, VII (1846), 222;

a set creed is a great obstacle in the path of the progressive development of a religion, and that therefore reform Judaism must always be impatient of a set creed¹;

twenty years later he wrote, "Es ist in Wahrheit zum Heile für das Judenthum, dass es in ihm nicht zur dogmatischen Fixirung irgend eines, und sei es auch des unzweifelhaftesten und des unzweifelsten Gedanken gekommen ist, zum wahren Heile des Judenthums, dass der einzelne Jude oder jüdische Theologe nicht 'seinen Glaubensstand' an dem Glaubensstande der Gesamtheit zu messen hat und danach seine Angehörigkeit zu beurtheilen ist, inwiefern er sich selbst als mit der Judenheit noch eng verbunden erachtet, auch bei der Abweichung in wesentlichen Fragen von der herkömmlichen und noch geltenden Auffassung sich im innigen Zusammenhange mit dem in der Judenheit herrschenden Geiste weiss." *Jüdische Zeitschrift für Wissenschaft und Leben*, VII, 9; see also *ibid.*, I, 279. Holdheim taught likewise that Judaism has dogmas but does not make their acceptance a *conditio sine qua non* of salvation as does Christianity; "Geschichte der Entstehung und Entwicklung der jüdischen Reformgemeinde in Berlin," 225 ff. See the interesting debate on this subject by the members of the directorate of this congregation, *ibid.*, 229 ff.; also Holdheim, "Religionsprinzipien des reformierten Judenthums," Berlin, 1847, "Die heilige Schrift hat sich nie in einem Bekenntnisse fixirt usw." Hess in a leading article in his *Israelit des Neunzehnten Jahrhunderts* claimed that a creed is not objectionable if it be understood that the statement of creed is merely a consensus of opinion, and that it is left to each one to hold that conception of Judaism which appeals to his thought and conscience; in other words, a creed must not be made the measure of salvation, but is to be considered merely as a definition or declaration of principles, VI (1845), 330-1. S. Stern, the virtual founder of the Berlin Reform Congregation, contended that the "definite formulation of principles contradicts altogether the thought of development whereon reform builds"; quoted in Holdheim, "Geschichte der Berliner Reformgemeinde," 229; see also his article "Die Aufgabe der jüdischen Gemeinde zu Berlin für die Gegenwart" (1844), in Freund's *Zur Judenfrage in Deutschland*, II, 359. For further discussion of this question see L. Löw, "Jüdische Dogmen," in *Gesammelte Schriften*, I, 133-76, Szegedin, 1889; S. Schechter, "The Dogmas of Judaism," *J. Q. R.*, I, 48-61, 115-27; B. Felsenthal, "Gibt es Dogmen im Judenthume?" *Year Book of the Central Conference of American Rabbis*, VIII, 54 ff.; M. L. Margolis, "The Theological Aspect of Reformed Judaism," *ibid.*, XIII, 192 ff.; F. Perles, "Bousset's Religion des Judenthums im neutestamentlichen Zeitalter kritisch untersucht," 112-16, Berlin, 1903; O. J. Simon, "Authority and Dogma in Judaism," *J. Q. R.*, V, 231-43; H. Hyamson, *ibid.*, 469-82.

¹ See the author's "Tendencies of Thought in Modern Judaism," *New World*, IV, 610, Boston, 1895.

still Formstecher was correct in the main when he urged that the conference should formulate a declaration of principles. Such a declaration was necessary, particularly in view of the decided differences between the traditionalists and the reformers on a number of controverted points. Such a declaration need not nor should it have been regarded as of a fixed character; any future conference should have been considered at liberty to modify it as soon as the opinion of an age concerning any article of such a declaration should have undergone a change. A creed is fixed and binding, a declaration of principles is fluid; possibly, however, the reformers as a body had not yet reached that unanimity of opinion which would have made such a declaration possible. Twenty-five years later the idea to which Formstecher had given expression at Brunswick was carried into practical effect when the conference of rabbis at Philadelphia adopted as the working basis of the conference a statement of principles¹. This was not a new formulation of a creed, for most of the men present at that conference were reformers of an advanced type, and would, therefore, not have given their suffrages to the manufacture of any creed; that they adopted a declaration of principles is indication sufficient of the essential difference between this and a statement of creed binding upon the individual as a necessary condition of salvation². Although the Brunswick conference adopted no declaration of principles, still there was an approach to this in the action touching the answers given by the French Sanhedrin to the questions of Napoleon in 1807³. Philippson had moved at the afternoon session of June 14 that the conference approve the attitude taken by the Sanhedrin for two reasons; first, to give assurance to the various governments of the patriotic attachment of the Jews,

¹ See the author's "Progress of the Jewish Reform Movement in the United States," *J. Q. R.*, X, 82.

² *Israelit des Neunzehnten Jahrhunderts*, VI (1845), 194-7.

³ Appendix I to *Protokolle*, 94-8.

and to show that there is nothing in Judaism at variance with the best and highest interests of the state¹; and, secondly, to evince by this approval that the conference was the successor in spirit of that notable assembly. By basing upon the French Sanhedrin, the first gathering of Jewish representatives resulting from the changes superinduced by the political emancipation of the Jews which was one of the forerunners of the religious emancipation, viz. the reform movement, the conference, whether consciously or unconsciously, declared itself the official voice of the modern spirit. Philippson's motion was referred to a commission consisting of Holdheim, Salomon, and Frankfurter, who reported at the session of June 18. The conference endorsed the answers of the Synhedrin, making slight changes and additions here and there. The consideration of the question as to whether the intermarriage of Jew and Christian was permitted caused a stormy debate. The French Sanhedrin had declared that a marriage between a Jew and a Christian which had been solemnized by a civil officer must be considered valid; the commission of the conference reported thus: "Marriages between Jews and Christians, marriages between monotheists generally, are not forbidden." Hess desired the insertion of the additional words, "and the rabbi is permitted to solemnize them"; however, he received no support in this extreme attitude. S. Adler declared himself as opposed to the adoption of this paragraph because it did not fall within the scope of a rabbinical conference: "How will the permission of intermarriage aid towards the reawakening of the religious spirit?" he asked pointedly. However, he went on to say: "If they were to make a declaration on the subject, their approval of intermarriage must be coupled with the demand that the children born of such marriages must be reared in the Jewish faith." This was the sense of the majority, and the report of the commission was amended to read: "The

¹ Appendix I to *Protokolle*, 20.

marriage of a Jew with a Christian, marriage with adherents of monotheistic faiths in general, is not forbidden, if the laws of the state permit the parents to rear the children of such a union also in the Jewish faith¹."

The answer to the question concerning the sentiment entertained by the Jews towards the land of their birth or adoption expresses excellently the political creed of the modern Jew: "The Jew is bound to consider the land to which he belongs by birth and civic conditions as his fatherland, to protect it, and to obey all its laws²." That the members of the conference would take this stand was foreshadowed at a previous session during the discussion of a proposition submitted by Dr. Mayer of Hechingen on "Efforts towards the Emancipation of the Jewish Church." In this discussion the opinions of the rabbis present on the religious and political elements, as far as they touched Jewish thought and practice, were given expression to. Holdheim, with his usual perspicacity, declared that the religious principle must be kept clearly distinct from the political. "It is difficult," said he, "to keep the two separate, because they have been connected closely for so long a time. For this very reason it is important that two things which have been joined so improperly should be sundered finally. When and how shall this separation take place? That we cannot determine here and now, but it is the task of the present age. We do not grant that there is such a thing as a 'Christian state,' and certainly we should not speak of a 'Jewish state,' or of the overlapping of the religious and the political in Judaism. . . . Let the Jewish clergyman concern himself with religious instruction; that is plain! only let there be clearness, clearness in our religious conceptions³." Holdheim expressed here the thought that he gave voice to in many different forms in his published writings, both before and after this conference⁴; the separation of the religious and political

¹ *Protokolle*, 73.

² *Ibid.*, 78, 79

³ *Ibid.*, 29.

⁴ "Das Religiöse und Politische im Judenthume," Schwerin, 1845;

elements became in time one of the marked features of the reform movement; the separation of church and state, and all that this implies, is written large on the programme of reform Judaism, which, therefore, has no sympathy with a movement like Zionism that combines the political and religious elements. So also Frankfurter declared that nothing was of greater importance than that they keep the religious and the political clearly distinct; "religiously speaking, we form a closely-joined community, not over against the state, but within the state; but in all broadly human and political activities we consider ourselves subjects and members of the state on each and every count¹." The special subject under discussion was the supervision of Jewish schools. Dr. Mayer of Hechingen had proposed that the governments should be petitioned to place the Jewish day schools under the supervision of the rabbi instead of a non-Jewish official, as was the case in many instances; the conference negatived this by a large majority, the sentiment being that such a demand would assume the appearance of political separatism.

The most important and lengthiest debate during the sessions of the conference was on the question of the reform of the liturgy. The debate was occasioned by the motion of Dr. Joseph Maier of Stuttgart, the president of the conference, that a commission be appointed to report to the next conference on the following six points: (1) Whether and in how far the Hebrew language was necessary for the public religious services, and, even if not necessary, whether its retention appeared advisable for the present among the Jewish congregations of the German fatherland? (2) In how far the dogma of the Messiah and all kindred doctrines must receive recognition in the prayers? (3) Whether the repetition of the שמנה עשרה (the eighteen benedictions) was necessary, and whether the *Mussafim*

cf. also Ritter, "Die jüdische Reformgemeinde zu Berlin," 50, Berlin, 1902; Levin, "Die Reform des Judenthums," 46-50, Berlin, 1895.

¹ *Protokolle*, 27.

must be retained? (4) In what manner the קריאת התורה and ז' קרואים (the reading from the Law and the calling up to the Law) could be arranged so as to cause less disturbance than at present, and to further congregational devotion and edification? (5) What steps could be taken to make the נטילת לולב and חקיעת שופר (the blowing of the ram's horn on the New Year's Day, and the shaking of the palm-branches on the Feast of Tabernacles) less objectionable to the aesthetic sense? (6) Whether the organ is permissible in the synagogue?

These questions involved so many points which were the subjects of heated controversy that it cannot excite wonder that the discussion that ensued upon their presentation to the conference touched most of the subjects that emphasized the differences between traditionalists and reformers. The public service is the official expression of the religious convictions of the community, therefore it is almost as a matter of course the first point to which the attention of reformers is directed. As has been shown¹, the earliest efforts of the new movement in Judaism had been directed towards a reform of the public services; the main attention, however, had been paid to aestheticizing the service, of making it decorous where it had been disorderly, of excising *piyyūṭim*, and thus shortening it, of introducing choral music and the German sermon; but less thought had been given to the matter of making the prayers express the principles of the reform movement. So much was involved in this reform of the ritual, so many points of detail, that it is not surprising that the men of that time who were in the very thick of the controversy could not see the forest because of the trees. The six questions upon which the discussion in the Brunswick conference was based indicated excellently the difficulties which a comprehensive reform of the liturgy was compelled to encounter. Inasmuch, however, as the motion was simply to refer these questions to a commission to report to the next con-

¹ *J. Q. R.*, XV, 490.

ference, and the discussion on this report will have to receive detailed consideration in its proper place, it is unnecessary to reproduce here the opinions expressed at this conference on the points at issue. Sufficient to say that the recommendation to elect such a commission was acted upon favourably, and the following rabbis were constituted members thereof—Joseph Maier, Levi Herzfeld, Levi Bodenheimer, Samuel Holdheim, and Gotthold Salomon.

Another subject that aroused prolonged discussion was the so-called oath *more Judaico*¹. Whenever a Jew appeared as a witness before a court, and the oath was administered to him, the whole proceeding was extremely humiliating to the self-respect of the Jewish witness; he had to go to the synagogue accompanied by the judge, the rabbi, and ten Jews above the age of thirteen, and, decked with the *tallith* and the *tephillin*, had to take the scroll of the law upon his arm; the rabbi had to impress upon him the solemnity of the oath; the witness then spoke a set formula and had to give assurance that he would not attempt to have the oath abrogated by a Jewish ecclesiastical court, and that he would not consider it annulled by the *Kol Nidre* prayer spoken on the eve of the Day of Atonement; that he did not consider the Christian an idolater, &c. Much was written at this time by Jewish scholars on this subject², and attempts were made to have

¹ *Protokolle*, 33-42.

² *Allgemeine Zeitung des Judenthums*, III (1839), 293; IV (1840), 123, 133, 158, 166, 174, 189, 307; *Israelitische Annalen*, II (1840), 243; *Zeitschrift für die religiösen Interessen des Judenthums*, I (1844), 301; *Israelit des Neunzehnten Jahrhunderts*, V (1844), 277, 327 (Holdheim); *ibid.*, 375 (Einhorn); *ibid.*, VI, 917 (Holdheim's answer to Einhorn); *Allgemeine Zeitung des Judenthums*, IX (1845), 194 ff., 274 ff., 289 ff. (Einhorn's answer to Holdheim); *Die Reform des Judenthums* (a magazine which was edited by A. Adler and H. Wagner in the interest of the rabbinical conferences, and appeared only one year, 1846), 9, 17. See also Frankel's book, "Die Eidesleistung der Juden in theologischer und historischer Beziehung," Dresden, 1847; Leopold Stein, "Der Eid *more Judaico*, wie solcher bei den Gerichten der freien Stadt Frankfurt noch in Uebung ist," Frankfurt a. M., 1847; D. Rothschild, "Der Eid der Juden," Brilon, 1847; cf. also *Allgemeine*

this barbarous mediaeval proceeding abolished; possibly the most famous case was that in which Cremieux, the future senator of France, defended M. Isidor, at the time rabbi of Saverne, and later chief rabbi of France. Isidor had refused to permit the administration of the oath *more Judaico*, had locked the door of the synagogue, and had declared that he would never permit such a profanation of God's name¹. This case aroused so much attention that it was the beginning of the final abolition of the oath *more Judaico* in France. The Brunswick conference took a firm stand on this subject, and declared that "the oath of a Jew in the name of God is binding without further ceremony²." The conference declared further that the *Kol Nidre* prayer was unessential, and the members present promised to use every effort to eliminate it from their services on the coming Day of Atonement³.

Zeitung des Judenthums, X (1846), 188-91, 206-7, 220-2, 248-9, 261-3, 616, 667; XIV, 137. For a historical sketch see "Zur Geschichte des Judenthums," in L. Geiger's *Juden in Berlin*, 265-80, Berlin, 1871. The oath *more Judaico*, though abolished in lands where the Jew has received the rights of man, was still administered in Roumania as late as 1904: *Jewish Chronicle*, Aug. 19, 1904.

¹ *Israelitische Annalen*, II (1840), 57; *Die Reform des Judenthums*, 9.

² *Protokolle*, 41.

³ This prayer, which is spoken at the opening of the service on the Eve of Atonement in congregations which use the traditional liturgy, is one of the favourite objects of attack of anti-Jewish writers; they declare that thereby the Jew absolves himself from all vows and promises that he might make during the coming year; however, Jewish authorities have always interpreted this to refer to such vows as the individual assumes voluntarily, and in which no other persons or interests are involved; in other words, "the formula has reference only to such vows in which the relation of the individual to his conscience or his Heavenly Father is involved." Still, because of the misinterpretation to which it was liable, it was important to eliminate it from the liturgy. As early as the fifteenth century Isaac ben Sheshet wrote to another rabbi to make the attempt to abolish the *kol nidre*, saying, that if he were to do this he would gain the praise of all wise men (*Resp.*, 394); quoted by Geiger in Freund's *Zur Judenfrage in Deutschland*, 3-4. See also Geiger, *Nachgelassene Schriften*, I, 134-6; *Revue des Études Juives*, XXXIX, 78; *Jewish Encyclopedia*, art. "Kol Nidre." Many congregations throughout Germany acted upon the recommendation of the

While the Jews were separate alien communities with no political rights or affiliations, they had their own jurisdiction, and were governed in many vital relations of life, as marriage, divorce, and the like, by their own laws. When they were striving for civil emancipation and were being incorporated in the body politic in various states, it was found that their traditional laws came into conflict frequently with the laws of the land. Reforms were necessary. It was for this reason that Jolowicz presented a resolution calling for a revision of the Jewish marriage laws. Holdheim moved that a commission be appointed to report to the next conference a plan for the reform of the marriage law, this being demanded urgently by the conditions and circumstances of the time. This was agreed to, and Holdheim, Herzfeld, Maier, Bodenheimer, and Geiger were elected members of this commission.

Shortly before the convening of this conference the Jewish world had been agitated by the circumcision controversy¹. An echo of this agitation sounded in the conference hall when Hess introduced the following resolution: "Be it resolved by this conference that, although it has learned with pain that some co-religionists observe no longer a command so universally considered sacred as circumcision, yet it declares against all external coercion and exclusion as has been demanded by a number of rabbis, and expresses the opinion that those who do not observe the command of circumcision are to be considered members of the Jewish religious community despite this, and as admissible to the taking of the oath, the giving of testimony, and the contracting of marriage with a Jewess." The resolution was disposed of by the endorsement of the suggestion of the president to the effect that since this matter was the subject of such bitter discussion in Jewry just at this time it be passed over, it being inadvisable to

Brunswick Conference and eliminated the *Kol Nidre* prayer from the service on the following Day of Atonement.

¹ J. Q. R., XVII, 340 ff.

give occasion to the play of passion on the floor of the conference.

At the closing session of the conference Dr. Samuel Hirsch proposed that the conference take steps to reconcile the differences between Jewish doctrine and practice by the abrogation or the amelioration of a number of Sabbath and dietary laws. He stated that the matter would not be so grave were the Sabbath laws disregarded only in the household economy, but that the public desecration of the Sabbath demanded that something be done to save the situation. If the members of the conference would address themselves to this subject in full earnestness they would give evidence to the world that they are not negativists and destroyers, but conservers and builders¹. Schott, the ultra-conservative, held that no action was necessary on their part, "since the Sabbath laws do not conflict with their duties as men and citizens, rabbinism having permitted certain necessary ameliorations²." A. Adler, after declaring that the modern point of view is altogether different from that of the Talmud, proceeded to say that "there is a cleft between life and the traditional Sabbath observance. We must reconcile this difference, not continue it²." Herxheimer called attention to the difficulties which were confronting the rabbi constantly because of the inconsistency between his preaching and teaching and the practice of his people. This would continue until life and profession would be reconciled³.

Holdheim declared flatly: "We cannot adopt the rabbinical conception of the Sabbath. We must ask our conscience what is the intent of Sabbath observance. Perhaps we can preserve Sabbath observance without Sabbath rest³"; and Salomon exclaimed: "We must attempt to save the Sabbath as soon as possible, and to reconcile the Sabbath laws with life and with our age. For after all the object of religion must be to regulate and permeate life⁴."

¹ *Protokolle*, 87-8.

² *Ibid.*, 89.

³ *Ibid.*, 90.

⁴ *Ibid.*, 91.

So important a question, possibly the most important among the practical problems in Jewish life, demanded the most thorough discussion and consideration ; this it could not receive in the closing hours of a conference. A Sabbath Commission was therefore elected to report on the subject at the coming conference ; the commission consisted of Geiger, A. Adler, S. Adler, Wechsler, and Kahn.

The conference adjourned on Wednesday, June 19, after determining to meet at Frankfort-on-the-Main on July 15 of the following year. No event in that agitated period stirred the Jewish communities more than did this conference. Denunciations fierce and invectives severe were hurled at the rabbis who had met at Brunswick. The conference was assailed as negative and destructive. Attacks by opponents called forth defences by friends ; articles in newspapers, essays in magazines, pamphlets appeared in rapid succession ; scathing criticism¹ on the one hand and admiring laudation² on the other characterized the temper of the writers ; the orthodox accused the conference of having undermined the very foundations of Judaism, the reformers acclaimed it for having given voice bravely to the true spirit of Judaism. I can refer to the more important of these controversial publications only.

Most unexpected was the criticism of the conference by Ludwig Philippson, who had been mainly instrumental in calling it into being ; the conference had travelled a path far different from that which he had expected and hoped that it would take. In discussing its work, he wrote that it was unfortunate that the conference had developed a critical tendency instead of devoting itself to the task of reviving and creating ; it criticized existing institutions, but paid no attention to organizing other institutions which the practical needs of the people required ; had the conference been a scientific congress, learned criticism would

¹ David Cassel, "Woher und Wohin?" 12, Berlin, 1845.

² S. Stern, "Die gegenwärtige Bewegung im Judenthume," 42, Berlin, 1845.

have been in place, but the conference was intended to contribute primarily towards awakening and strengthening the religious consciousness of the people, and in this province the critical spirit can accomplish nothing¹. He regretted beyond measure that the principle of compromise (*Prinzip der Vermittelung*) did not guide the deliberations of the conference; this represented his standpoint; those who were guided by this principle wished to build on historical foundations, recognizing the needs of the present and having an eye to the future, but they would not abrogate existing customs and ceremonies until they had something positive to take their place; the misfortune was that the conference was dominated by such as had an abstract ideal of positive religion, which they pursued without regard for the past, and for whom nothing had any value except that which comported with the demands of cold reason and the critical faculty². Philippson was of a decidedly practical bent; he felt that reform must move slowly and accommodate itself to existing conditions; it was his firm conviction that if the conference would call into being practical institutions like a rabbinical seminary, a publication society and the like, it would do much more for the religious advancement of the people than by the discussion of abstract religious ideas.

The philosophical principles of the reform movement received but little consideration in his writings; he praised the conference for not having formulated a declaration of principles, and stated that in future conferences the conservative element must be strengthened for this alone would ensure their efficacy, authority, and beneficial influence.

The individual criticism of the conference which aroused the greatest attention was that of Zacharias Frankel³. He

¹ *Allgemeine Zeitung des Judenthums*, VIII (1844), 385.

² *Ibid.*, 387.

³ "Die Rabbinerversammlung zu Braunschweig," in *Zeitschrift für die religiösen Interessen des Judenthums*, I (1844), 289-308.

claimed that the members of the conference were not impressed sufficiently with the significance and gravity of their task, that they were not careful enough in their utterances and proposals, and that they did not keep in view the religious state of the people. He held that a rabbinical conference cannot pass resolutions, only a synod can do this; a conference can only discuss and deliberate. The Brunswick conference discussed the weightiest matters; in a number of instances the members showed their unpreparedness and incapacity. Thus in the discussion on the mixed marriage question the attitude of the French Sanhedrin had been misrepresented; the Sanhedrin had not declared that "the marriage of a Jew with a Christian is not forbidden," as the conference had reported, but that "the marriages between Jews and Christians which had been performed in accordance with the laws of the civil code are binding civilly, and although they cannot be solemnized religiously, they are not anathema." He also blamed the conference for applying the scalpel of criticism to customs and ceremonies close and dear to the heart of the people; what the people consider edifying and binding must be respected; the conference had made the mistake of keeping in view only the "age," and not the "faith"; the members had spoken constantly of the spirit of the age, but did not bear in mind the warm religious sentiment of the people who still clung to many a form and custom in which the religious philosopher, standing on the advanced intellectual outposts of the time, recognizes only a meaningless survival of the past, but which may yet have power to move and edify. Frankel's attack called forth many answers, notably from Holdheim¹, Maier², the president of the conference, and Samuel Hirsch³, all of

¹ "Die erste Rabbinerversammlung und Herr Dr. Frankel," Schwerin, 1845.

² "Die erste Rabbinerversammlung und ihre Gegner," Stuttgart, 1845.

³ "Erwiderung auf Herrn Dr. Frankel's Angriff gegen die Rabbinerversammlung," *Orient*, V (1844), 378-82.

whom defended the conference warmly. The first named took pains to show how fallacious was Frankel's argument that the members of the conference should not have criticized such religious forms and beliefs as were close to the heart of the people, and still had power to move them; superstitions often have this power, shall superstitions never be attacked for this reason? who are the better judges of what is the truth of religion, the people or the religious guides? the time-server has his hand on the people's pulse, the true leader, worthy of the name, will not be deterred in his course, no matter what the people may believe or think. Even Frankel stated in another connexion that everything is not as it should be in Jewry, and advocated certain reforms because of the conflict between life and the faith¹; but there is no such conflict, Holdheim goes on to say; the conflict is between life and the Talmudical interpretation of the faith, between life and rabbinical formalism and ceremonialism, and not between life and Judaism; there must be a thorough reform of traditional rabbinical Judaism and the conflict will disappear from the life of the modern Jew. Frankel himself is not clear; now he advocates reform, and again he decries it; let him be honest and not attempt to attain to a supreme position in the estimation of the common people by such palaver to the effect that what still appeals to the bulk of the people has religious validity; the majority rule is not the gauge by which the truth is to be measured.

Dr. Maier, the president of the conference, in his defence touches the same point; he says that if Frankel's contention be true that the popular sanction of religious forms and institutions must guide their observance or discontinuance, the function of religious leaders would be that of grave-diggers who have only to bury decently what has

¹ Holdheim refers evidently to Frankel's article, "Ueber Reformen im Judenthume," in *Zeitschrift für die religiösen Interessen des Judenthums*, I (1844), 1-27.

disappeared from the life of the people; he puts this apt query to Frankel, "Suppose that it had so chanced that instead of becoming chief rabbi of Dresden you had become chief rabbi of Moldavia or Wallachia, where Chassidism which finds religious edification and satisfaction in the observance of senseless cabbalistical customs is rampant—Chassidism which considers holy and God-pleasing many acts that true piety is backward in even mentioning—would you hesitate for one moment in attacking and removing these customs, even though, to use your own phrase, 'they had received popular sanction and acknowledgment'? The revealed will of God is the incontestable standard for reforms, not the will of a party, even though that party form for the nonce an overwhelming majority." Every command, every institution whose retention can only harm the essence of religion, and which has either no foundation in Scripture or was ordained for a certain time that is past, or a certain political phase that has ceased, must be surrendered or changed, even though Talmud and Shulchan Arukh declare it to be Mosaic and of eternal validity; on the other hand, every command, every institution which strengthens the true content of religion must be retained, even though it emanate from the latest teachers of the people. The acceptance of such recommendations and proposals made by the religious leaders depends not on them. They cannot force this acceptance, for they have no police power, nor have they the slightest wish to exercise such power. Theirs it is only to fulfil the duties of their office and to show the people the way." This, continues the president, was the standpoint of the conference¹. A number of men had gathered "to take counsel together as to what must be done for the preservation of the religion, and they had paid especial attention to those religious institutions and

¹ Frankel answered Maier in an article entitled "Schreiben an den Herrn Kirchenrath Dr. Maier in Stuttgart," *Zeitschrift für die religiösen Interessen des Judenthums*, II (1845), 161-82.

customs, the reform of which was necessary and urgent." After reviewing and rebutting Frankel's criticisms of the specific points in the proceedings of the conference, Maier closes his defence thus strongly: "as a matter of fact the rabbis of the old thoroughly orthodox school were far more careful, honest, and honourable than those of the chiaro-scuro type of to-day. The former declared art and science, in short all culture except that of a purely religious character, as absolutely incompatible with Judaism, and characterized every Jew who read a German book as a heretic *פושע באלהי ישראל*; this attitude was consistent and intelligible; the latter however advise that modern schools be attended by Jews, and the arts and sciences be cultivated by them, but denounce all such as advocate a reform of the ritual and the cult, because these do not harmonize with modern culture—this attitude is inconsistent and unintelligible. But history adjusts every inconsistency, and we may be sure that the present inconsistency in Judaism will be adjusted, even though dozens of Frankels strive against it with might and main. As for you, my friends and brothers, who are not concerned for your own aggrandizement, but for the weal of our co-religionists: not for the realization of selfish plans and opinions, but for the preservation of our religion: be you not misled by appearances like this which I have just discussed. The struggle of light with darkness is still on, but victory must follow as surely as does the day and dawn."

Much as some other writings that the conference called forth deserve detailed mention, notably the answer of Dr. Samuel Hirsch to Frankel, mentioned above, and the pamphlet of Dr. Gotthold Salomon¹, they must be passed by with a mere reference in order that space may be given to the most famous of all the publications resulting from the deliberations and recommendations of the conference. The protest of seventy-seven orthodox rabbis of Germany,

¹ "Die Rabbinerversammlung und ihre Tendenz. Eine Beleuchtung für Freunde und Feinde," Hamburg, 1845.

France, and Hungary aroused as great commotion at the time as did the conference itself. The protest was in the form of an address to the faithful in Israel שלומי אמוני ישראל, and the words of the prophet Ezekiel, xxxiii. 6-7, were placed at the head of the document as the motto. It was in the main a fierce denunciation of the conference and its members. Some of its salient sentences read, "Judaism is slandered by men who call themselves its protectors and its teachers." "No authority is respected, not even that of the two thousand year old Great Synod, among whose members even the last of the prophets were numbered. The barriers of truth are battered down; the Talmud with all the traditional divine law contained in it is vilified in the most unsparing manner, and its fall is gloated over." The protest speaks of the members of the conference as desiring to erect in the place of the hegemony of the Talmud "the throne of Karaism or possibly the rule of the idol of convenience and sensuality." The protest proper is worded thus: "After carefully conducted written negotiation and conscientious probing of all the proceedings of said conference, we, the undersigned, have united to inform you, the faithful in Israel, that all the resolutions of the so-called Brunswick rabbinical conference—with the sole exception of the one that defines the political attitude of the Israelites towards the state, in which is to be included also the resolution declaring for the sacred inviolability of the oath—are opposed to true Judaism, and are therefore false and condemnable for the believing Israelite; that a destructive spirit of revolution and sectarianism breathes through the proceedings; that the work which has been projected for a future conference is of the same condemnable character; and that we regard it therefore as the duty of every truly believing Israelite not only not to take part in such proceedings, but also to oppose such novelty-seeking efforts by every legally permitted means."

The signers of the document (which reached later the

number of one hundred and sixteen) acknowledge the growing indifference in Israel, and declare it to be the duty of the religious leaders to do all they can to stem it, but they denounce the method of the reformers as false; instead of invoking the divine aid to save the ship of Judaism which is tossing about in agitated waters, they think to ensure its safety by throwing overboard one divine law after the other. "O the fatuity of those blinded leaders in Israel! Neither we nor any person have the power to abrogate even the least of the religious laws." They then call attention to such incidents in the past as the idolatry of the people during the first commonwealth, the apostasy preceding the Maccabean uprising, the formation of the Sadducean and Karaite sects; all these have passed away with the exception of a few thousand Karaites while the observers of the Law still exist and flourish. "Therefore, ye faithful in Israel!" the protest concludes, "do not permit yourselves, because of the scarecrow of religious decay which has been set up, to be misled to sanctioning reforms and innovations which result only in increasing this decay. Turn hopefully with us to Him who desires the well-being of all his children on earth, praying that He may heal soon the sickness of our age which is suffering from materialism, and that He may bring back to the true faith the erring in Israel¹ Until then

¹ What this true faith from the orthodox standpoint is conceived to be was stated most clearly in a remarkable manifesto issued shortly after this, viz. on March 31, 1846, by S. Godscheaux, grand rabbi of Colmar, and L. M. Lambert, grand rabbi of Metz; this document was as follows: "it has become necessary that every Israelite be informed fully concerning the tactics of those who under the high-sounding names of reformers, and progressivists, preach atheism and irreligion, and who under the hypocritical pretence of making our religion more imposing and beautiful, really desire to sacrifice it to the advantages and indulgences of material life. Therefore we address ourselves anew to you, cherished brethren of Israel, and give you herewith a brief résumé of the fundamental principles of the Jewish religion as they are designated in the Talmud, and as our fathers have observed them:—

(a) The divine law is immutable and eternal like its Author; neither time nor conditions can change, much less abrogate it.

let us guard our very ancient religious fortress faithfully, and protect it against those who approach it in the guise of friends in order to undermine its foundations undisturbed¹." The protest was signed among others by such paladins of orthodoxy as N. M. Adler of Hanover, B. Auerbach of Darmstadt, Jacob Bamberger of Worms, Seligman Bär Bamberger of Würzburg, Jacob Aaron Ettlinger of Altona, Samuel Freund of Prague, Samson Raphael Hirsch of Emden, E. L. Teweles of Prague, G. Tiktin of Breslau, and S. A. Trier of Frankfort.

This protest may be considered an official document of

(b) The oral law is as truly the word of God as the written law.

(c) All institutions and regulations which were introduced into Judaism with the purpose of protecting the law are as unchangeable as the law itself.

(d) No assembly and be it of all the rabbis, yea be it of all Israel in conjunction with all the rabbis, has either the authority or the right to abrogate or to change the least portion of the law, whether oral or written, or the introduced institutions or regulations.

These are the principles of the true Israelitish belief in which our fathers lived, and for which they died; every reformatory attempt to change these constitutes rebellion against the religion binding upon all the children of Jacob, and leads to the way of destruction." *Allgemeine Zeitung des Judenthums*, X (1846), 290-1.

So also the constitution of the famous orthodox congregation of Frankfort-on-the-Main, presided over for many years by Samson Raphael Hirsch, the greatest of the orthodox leaders of Germany in the nineteenth century, defines its standpoint as follows: "The old Jewish religious legislation which forms the fundamental statute of every Jewish community has given the Israelitish congregation also the fundamental rules for its religious guidance, and nothing could nor can obtain validity in it which is not in accord with this religious legislation as it has been handed down to us in Thora, Talmud, and the rabbinical codes of the Shulchan Aruch."

¹ Other protests against the Brunswick Conference were issued by the rabbinate of Krakau, see *Israelit des Neunzehnten Jahrhunderts*, VI, 86; by Rabbi Nathan Marcus Adler of Hanover (later of London), and Hirsch *Lehren* of Amsterdam, *ibid.*, 30, and by D. Deutsch, rabbi in Sohrau, Upper Silesia אספה ארצה (Gathering of an Assembly) "oder Protestation gegen die Rabbinerversammlung," Breslau, 1846. This was a protest against both the Brunswick and Frankfort conferences. See also "Kritische Bemerkungen zu den Protokollen der ersten Rabbinerversammlung," *Literaturblatt des Orient*, 1845, nos. 48, 64, and 80.

the party of tradition. "Neither we nor any person have the power to abrogate the least of the religious laws"; this sentence sums up their position. In their eyes the Brunswick reformers were traitors and worse to the cause of Judaism. Their cry was the same as that of the rabbis who over half a century previously had denounced Mendelssohn's German translation of the Pentateuch and Wessely's plea for secular education, and later the Hamburg Prayer Book and Geiger's attitude. For them Judaism was a closed chapter; at any rate they were consistent; they considered modern influences of whatever kind as inimical to Judaism; their opposition to the Brunswick conference was justified from their standpoint, and one can understand and even sympathize with this opposition if that standpoint is borne in mind. But they were enlisted in a lost cause, the day of rabbinism and shulchan-arukhism was past for the Jew living in modern surroundings. Judaism was demanding a new reading, and even though the Brunswick conferees did not render that new reading completely, still were they nearer the true understanding of the underlying principles of the faith than were their bitter though sincere opponents; the Brunswick conferees lived in the present, and appreciated the changes that had come upon Jewry, the signers of the protest lived in the past and could not, I will not say would not, see those changes.

The protest called forth many counter-replies; from Mannheim¹, Giessen², Karlsruhe³, Worms⁴, Heidelberg, and other communities came addresses signed by many names upholding the conference, and denouncing the attitude of the seventy-seven; a brief extract from one of these addresses will serve to indicate the spirit that pervaded all of them: "In the present critical phase of Judaism we await only beneficial results from the efforts of the rabbinical conference; its published proceedings

¹ *Israelit des Neunzehnten Jahrhunderts*, VI (1845), 128.

² *Ibid.*, 215.

³ *Ibid.*, 222.

⁴ *Ibid.*, 159.

enlist our full sympathy, and we look forward with the greatest confidence to its future transactions which we expect will free our sublime religion from the excrescences of past ages, and set forth its truths in a manner suited to the time wherein we are now living¹."

Thus the Brunswick conference, as could not fail to be the case, was condemned bitterly in some quarters and commended strongly in others; the published proceedings offer but a faint reflex of the spirit which animated the conference; many who attended did so at great sacrifices, being impelled by the longing to contribute towards a solution of the difficulties that were besetting Judaism. This conference did pioneer work; it grappled with vital problems; the members were sincere in their presentation and discussion of these problems; the solution was not to be expected in a week, many of the problems there touched upon have not been settled to this day; the question of Hebrew in the service, and the Sabbath questions, are still the fruitful subjects of debate. In truth, the members of this conference could do no more than indicate a programme for future conferences, and this they did by appointing commissions to report on vital subjects at coming meetings. One of two courses was open to them, either the theoretical or the practical; had the conference resolved itself into a committee of the whole to consider and perfect plans for the founding and maintenance of practical institutions like a rabbinical seminary, a publication society and the like, as Philippson and also Geiger desired, it would have aroused less opposition and

¹ From an address signed by sixty Jews of Worms, *Israelit des Neunzehnten Jahrhunderts*, VI, 159. Mention must be made also of the pamphlet issued by Dr. A. Adler, entitled "Die sieben und siebenzig sogenannten Rabbiner und die Rabbinerversammlung," Mannheim, 1845; this in its turn called forth a defence of the signers of the protest from K . . . m (supposedly R. Kirchheim) in the form of an open letter, entitled "Offener Brief an A. Adler, Mitglied der Braunschweiger Rabbinerversammlung als Antwort auf sein Sendschreiben an die 77 sogenannten Rabbiner u.s.w.," Bockenheim, 1845.

have set in motion useful and needed agencies. But under the circumstances this could have been but one phase of its activity at best. It is difficult to see how, in that period of storm and stress, any gathering of rabbis could have avoided the consideration of those burning questions in Jewish life that the Brunswick conference discussed; for even though the discussions were theoretical and academic they had also a distinct practical bearing. Principle is all important; the Jewish communities required a clear understanding of the principles of Judaism as they found expression in the liturgy and the public institutions of the faith, and who was to discuss and determine upon these principles if not the religious leaders? This the rabbis assembled at Brunswick did, and for that reason this conference is so important an incident in the history of the reform movement ¹.

DAVID PHILIPSON.

Cincinnati O., U.S.A.

¹ Holdheim, "Geschichte der Berliner Reformgemeinde," 25.